IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 8260 of 1988

For Approval and Signature:

HONOURABLE MR.JUSTICE S.R.BRAHMBHATT

==========

1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

==========

DHURABHAI K WAGH - Petitioner
Versus
BHAVNAGAR DIST PANCHAYAT & 5 - Respondents

==========

Appearance :
MR PM THAKKAR for Petitioner:
MR KH BAXI for Respondent : 1,
RULE SERVED for Respondents : 2, 4, 6,
MR SHAILESH C PARIKH for Respondent : 3,
UNSERVED-EXPIRED (R) for Respondent : 5,

==========

CORAM : HONOURABLE MR.JUSTICE S.R.BRAHMBHATT

Date : 21/08/2007

ORAL JUDGMENT

1. Mrs. Pahwa, learned counsel appearing for the petitioner submits that, despite her efforts the

petitioner has not come forward to give any instruction, especially in respect of communication dated 25/5/1982 which is placed on record by Shri. Baxi. In view of this, this petition deserves to be disposed of as the petitioner has not been coming forward to instruct the counsel on vital aspect going to the root of the matter.

2. The petition is accordingly disposed of. However, disposal of the petition at this stage for want of instruction may not come in the way of the petitioner pursuing his cause, and he is at liberty to revive the same in case of difficulty. Petition is treated as disposed of, but with the above said observation. Interim relief, if any, shall stand vacated. No costs.

[S.R. BRAHMBHATT, J]

/vgn